GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes – Sri K.Srinivasa Rao, the then Deputy Commissioner (CT), Guntur (Retired) – Criminal / Disciplinary cases pending – Provisional pension – Sanctioned – Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.812 **Dated:14.10.2020**
Read the following:-

1. 1.G.O.Rt.No.1097, Fin.Plg, (FW-Pen.I) Dept., dated 22-06-2000.
2. CCST's Ref.No.V1/589/2011, Dated 28.05.2019.
3. CCST's Ref.No.M1/151/2020, Dated 11.06.2020.

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O R D E R :

Whereas in the reference 2nd read above, it has been brought to the notice of the Government by the Chief Commissioner of State Tax, Andhra Pradesh, that on the alleged irregularities committed in the sale of plant and machinery pertaining to M/s Salute Beverages Pvt. Ltd, Edulapalem, Guntur District resulting in loss of revenue to the extent of Rs. 62.90 lakhs to the State exchequer, the Director General, Vigilance & Enforcement in Vigilance Report No.19(C.No.988/V&E/R1/2010) has recommended to initiate criminal action against Sri.K.Srinivasa Rao, Deputy Commissioner Guntur and Sri L.R.K.Sharma, Auction Officer (Deputy Commercial Tax Officer) besides recovery of Rs.62.90 lakhs from the firm and also departmental action against both of them.

2. In this regard, Government have decided to initiate disciplinary action in common against both Accused Officers. In the mean time, AO-1, Sri K.Srinivasa Rao, the then Deputy Commissioner (Commercial Taxes) filed WP.No.23839/12 before Hon`ble Andhra Pradesh High Court and the Hon'ble Court vide orders dt.3-8-2012 in WPMP. No. 30457/2012 has granted interim stay on proceedings, in so far as they relate to the petitioner. Hence, further action against AO-1 was stalled.

3. Further, a criminal case was registered against the Accused Officer in FIR No.196, in Kothapet Police Station, Guntur and the station house officer, Kothapet Police Station, Guntur has stated that as per the police station records C.R.No.196/2012 Under Section 420,406,409 IPC of Kothapet Police Station is referred as action dropped on 27-11-2018 vide C.No.555/ Ref/SDPO-east/2018 vide Kothapet Po5Z-6-Station Ref. dt.04.04.2019.

4. Government, after examining the matter have decided that the amount of Rs.62.90 lakhs shall not be collected from the dealer M/s Salute Beverages Pvt. Ltd, as there is no provision under APGST Act, 1957, to realize such arrears. Further the Chief Commissioner (State Tax) was requested to obtain the detailed investigation report from the Station House Officer, Kothapet Police Station, Guntur, along with reasons for dropping criminal case against Sri K.Srinivasa Rao, the then Deputy Commissioner (Commercial Taxes), Guntur and also to take expedient steps to get the said interim stay vacated.

5. In the letter 3rd read above, the Chief Commissioner of State Tax, while informing about the Vigilance & Enforcement case i.e, in the sale of plant and machinery pertaining to M/s Salute Beverages Pvt. Ltd, Edulapalem, Guntur District resulting in loss of revenue to the extent of Rs. 62.90 lakhs to the

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State exchequer, pending against accused officer, he has also stated that a disproportionate assets case was also registered against him wherein disciplinary proceedings have been initiated against him by framing Article of charge vide G.O.Rt.No.433, dt. 04.04.2018.

6. The Chief Commissioner of State Tax has further stated that the Charged Officer has retired from service on 31.01.2019 AN on attaining the age of superannuation and filed pension proposals for onward submission to the Accountant General, Andhra Pradesh, Hyderabad and hence requested the Government for taking action in the matter.

7. Government after careful examination of the matter and in exercise of the powers conferred under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980 read with the circular instructions issued in the reference 1st read above, hereby accord permission for sanction of provisional pension to an extent of 75% of the normal pension entitlement to Sri K.Srinivasa Rao, the then Deputy Commissioner (Commercial Taxes), Kadapa and now Joint Commissioner (State Tax), O/o Chief Commissioner (State Tax), Andhra Pradesh, Vijayawada (Retired) with effect from 01.02.2020 duly withholding the gratuity in full, without prejudice to the criminal/departmental proceedings pending against him.

8. The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Sri K.Srinivasa Rao, the then Deputy Commissioner (CT), Kadapa and Joint Commissioner (State Tax), O/o Chief Commissioner(ST), A.P., Vijayawada (now Retired) **Through** the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada.
The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada.
Copy to :
The Accountant General, Andhra Pradesh, at Hyderabad.
The Director General, Vigilance & Enforcement, Andhra Pradesh, NTR Administrative Complex, PN Bus station, Vijayawada.
Sf / Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER